

21st century. These programs are critical to improvements and modernization of our roadways and our airways, providing desperately-needed funds across the Nation.

In addition, the bill provides \$521 million for Amtrak's capital needs. This funding will cover capital expenses and preventative maintenance. The bill sustains the Federal commitment to continue its partnership with Amtrak to help it reach its goal of self-sufficiency by December of 2002.

Mr. Speaker, this is a responsible conference report that tackles our Nation's most pressing transportation needs. In the midst of the holiday travel season and in light of the recent attacks on our Nation, this Congress can take pride in the fact that the underlying legislation represents an increase in the safety measures and resources in every area of our transportation system.

With airline security stabilization legislation already signed into law, this conference report expands on the new measures and provides the necessary resources to carry out much-needed safety initiatives.

Now more than ever, safety should remain the Federal Government's highest responsibility in the transportation area. Clearly, whether by land, by sea or by air, this bill addresses those needs and concerns, while maintaining the fiscal discipline that has been the hallmark of this Congress.

Mr. Speaker, as I conclude I would like to commend the chairman of the Committee on Appropriations, the gentleman from Florida (Mr. YOUNG), and the ranking member, the gentleman from Wisconsin (Mr. OBEY), for their tenacious work on this measure.

I would also like to extend praise to the gentleman from Kentucky (Mr. ROGERS), the chairman of the Subcommittee on Transportation of the Committee on Appropriations, and the ranking member, the gentleman from Minnesota (Mr. SABO).

I also urge my colleagues to support this straightforward, noncontroversial rule, as well as the underlying legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. HALL of Ohio. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this rule allows for the consideration of the conference report on H.R. 2299. This is a bill that funds the Department of Transportation, the National Transportation Safety Board, and related agencies. The rule waives all points of order against the conference report.

Since the terrorist attacks against the United States on September 11, our Nation's transportation systems have been under great scrutiny. In particular, Federal oversight of aviation has been in the spotlight. However, the

transportation agencies which monitor our railroads, highways, and waterways have also been challenged to find solutions to the terrorist threat.

The bill funds the newly created Transportation Security Administration, which will be responsible for security operations involving all modes of transportation. This is the Federal agency that will oversee the hiring and training and supervising of the airport passenger and baggage screeners.

The bill also funds aviation security in the Federal Aviation Administration, which includes bomb detection systems. The conference report contains compromise language intended to ensure the safety of Mexican trucks traveling on U.S. highways.

I am also pleased that the conference report provides \$1 million towards the construction of the Interstate 70-75 interchange in Montgomery County, Ohio. This will help cover unforeseen increased costs of the project, which is an important priority for the community and the State.

This will be the ninth of the regular appropriation bills to complete the conference process. We are now 2 months into the fiscal year and we still have 4 more to go.

I would urge my colleagues to approve the rule and the underlying bill and let us get this bill to the President to sign.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. REYNOLDS. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. ROGERS of Kentucky. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the conference report accompanying H.R. 2299 and that I may include tabular and extraneous material.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

CONFERENCE REPORT ON H.R. 2299, DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 2002

Mr. ROGERS of Kentucky. Pursuant to House Resolution 299, Mr. Speaker, I call up the conference report on the bill (H.R. 2299) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for

other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 299, the conference report is considered as read.

(For conference report and statement, see proceedings of the House of Thursday, November 29, 2001.)

The SPEAKER pro tempore. The gentleman from Kentucky (Mr. ROGERS) and the gentleman from Minnesota (Mr. SABO) each will control 30 minutes.

The Chair recognizes the gentleman from Kentucky (Mr. ROGERS).

Mr. ROGERS of Kentucky. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, we are very pleased to present to the body an excellent conference agreement on H.R. 2299, the Department of Transportation and related agencies appropriations bill for fiscal year 2002.

First, let me say that we worked long, hard hours to hammer out the agreements contained in the bill.

□ 0915

I want to especially thank this morning the staff of the subcommittee, both on the majority and minority side, for staying up now two consecutive nights all night long, last night reading out the bill, and the previous night trying to put the bill together for consideration by this body. And they are not in a stupor, Mr. Speaker, but they are very tired. And I think we owe them an especially big debt of gratitude, Rich Efford and the other on the staff of the subcommittee. On both sides of the aisle, we want to say a special thank you to the staff for a tremendous job under extreme conditions because of the hurry up of this process.

We had some daunting challenges, Mr. Speaker. We started the process on this bill with veto threats hanging over both the House bill and the other body's bill because of a controversy over the best way to ensure the safety of trucking, the trucking industry, that we enjoy today without violating the NAFTA treaty.

Also, because of a Type 302-B conference allocation, we had to cut many of the funding items in the conference far below the Senate level. However, with the continued fine cooperation of my colleague and friends from across the aisle, the gentleman from Minnesota (Mr. SABO), the help especially of Senators MURRAY and SHELBY, and the willingness of senior administration officials to meet us half way on the trucking issue, we have, I believe, solved these problems in a fair manner that we can all be proud of.

This bill forges a consensus that, frankly, some thought was impossible a few months ago. And I had to be one of those who thought we could not find a middle ground on the Mexican trucking issue. But through a long process

we have. This bill puts in place a much stronger truck safety and enforcement regime at the Mexican border, requiring on-site inspections and compliance reviews of Mexican trucking firms, weigh-in-motion scales at some of the busier border crossings, and a comprehensive Inspector General audit of the whole system.

After the I.G. audit is completed, the Secretary then will have to certify that opening the border can be accomplished without causing unacceptable safety problems on our Nation's highways. Only then will Mexican trucks be able to drive beyond the border zone further into the U.S.

I should also point out that we owe the gentleman from Minnesota (Mr. SABO) a big debt of gratitude for his hard work in making sure that the bill includes tough new provisions regulating hazardous materials coming over the border. Specifically, due to his work, the bill requires that a new agreement be placed between the U.S. and the Mexican Governments tightening up hazardous materials transportation and ensuring the safety of our roads before Mexican trucking firms are permitted to bring hazardous materials beyond the border zones. That is a great addition to this bill, and I think we all owe the gentleman from Minnesota (Mr. SABO) a big debt for that particular provision.

At the same time, in all of this we were responsive to the President's firm commitment to honor the NAFTA treaty and open the border in 2002. The provisions of this bill will, I believe, allow the President to open the border sometime in fiscal year 2002 and will not violate the NAFTA treaty. The administration also believes that. It is critical that we honor our international commitments, and this bill does that. The administration has indicated their full support for the compromise worked out on the Mexican trucking issue.

In its funding aspects, let me first point out that the bill is within our allocation for budget authority and outlays. Although our allocation was extremely tight, we were able to fund all of the major DOT operating agencies at or near the President's budget request, while honoring the funding guarantees in TEA-21 and AIR-21. This was not easy to accomplish because it required us to cut out many worthy items, especially in the transit area.

In general, the bill before you provides increases for major infrastructure programs around the country. Let me provide just a couple of examples. The bill includes \$320 million to kick off the Coast Guard's new deepwater program, the largest acquisition ever attempted by the Department of Transportation. That is about \$280 million above last year's level. It includes funding for Federal-aid highways, \$100 million above the level guaranteed in

the authorization bill. And it fully funds the authorization for much-needed airport funding. These resources will go a long way to help jump-start the transportation construction sector of our economy.

Finally, Mr. Speaker, the Members should know that this bill responds to the September 11 terrorist attacks. The bill includes an appropriation of \$1.25 billion for screening activities at the Nation's airports. I know some have questioned the aggressive timetable for aviation security improvements we just recently established in this body. Well, we are saying in this bill that funding will not be a problem. This bill provides the necessary funds to take whatever steps are necessary in the near term to accelerate this transition as much as possible. The bill also provides \$100 million for the procurement and installation of additional bomb detection systems at the Nation's airports, so that installation of these vital systems at our Nation's airports can be accelerated, Mr. Speaker.

So without further elaboration, I believe that this is a great bill. It deserves Members' support. I recommend it to every single Member.

I want to say again the appreciation we have for the hard work of our colleagues on the subcommittee from both sides of the aisle. We have a wonderful group of Members of this body accumulated in this subcommittee. All of them participate. All of them have contributed to this bill and all have contributed their dedication to the success of the transportation bills of the country. And I want to thank each member of the subcommittee for the great contributions they have made, and especially, again, the staff who have devoted themselves beyond the call of duty to this particular bill.

Mr. Speaker, I reserve the balance of my time.

Mr. SABO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, first let me compliment and congratulate the distinguished gentleman from Kentucky (Chairman ROGERS) for his outstanding work for bringing to the House a conference report on the fiscal year 2002 transportation appropriations bill that we should all be proud of and that we should pass. But I would like in particular to compliment the gentleman from Kentucky (Chairman ROGERS) for the role he played in making sure that we reached an agreement on the Mexican truck issue that I think satisfied the concerns of all of us who raised the issue and still found a solution that the President would sign.

He played an absolutely key and essential role in making that happen. It has been a long journey, and we wondered how it would end at times.

When the House acted because of procedural limitations, we adopted an amendment that we knew would have

to later be modified. I thought the Senate did some outstanding work in making modifications and expanding on what should be done as it relates to motor carrier safety as we begin to have Mexican trucks come beyond the 20 mile commercial zone. The discussions that went on for an extended period of time finally resulted in a solution that will be signed by the President. At the same time it represents a giant leap forward in assuring the American public that those trucks and those drivers will be safely on our roads. We know we can have no absolute guarantee for any of us when it comes to our highways, but there is a process in place that, properly administered, should assure that the quality of vehicles and the quality of drivers on our highways are the same for those trucks and those drivers as those that exist in our country.

So I think that was a major step forward, and the gentleman from Kentucky (Chairman ROGERS) played an essential role in making that happen.

The bill itself makes necessary investments in our Nation's infrastructure and the safety of all of our modes of transportation. It is a good bill, and let me join the chairman in thanking the staff that has worked so hard and all the Members of the committee that worked so hard to bring this bill to us. But let me in particular thank Bev Feeto of our majority staff, Marge Duske of my personal staff, Rich Efford, Stephanie Gupta, Cheryl Tucker, Linda Muir, and Theresa Kohler of the majority staff. All of them do excellent work. This is a good bill and it deserves a big vote.

Mr. Speaker, I reserve the balance of my time.

Mr. ROGERS of Kentucky. Mr. Speaker, I yield such time as he may consume to the gentleman from Florida (Mr. YOUNG), the chairman of the full committee who has been such a big help in the construction of this bill and helping to shepherd us through the maze we have had to go through. I want to thank the chairman as I yield him time.

Mr. YOUNG of Florida. Mr. Speaker, I thank the chairman for yielding me time, and I am not going to take a lot of time on the bill because it has been very well explained and the subcommittee has done such a good job.

The bill does not really need a lot of speeches in its behalf. But I rise to thank the gentleman from Kentucky (Chairman ROGERS) and the ranking member, the gentleman from Minnesota (Mr. SABO) for having done a really good job in an extremely difficult situation. They have done yeoman's service. The gentleman from Minnesota (Mr. ROGERS) mentioned the staff, and I want to adjust a little bit more time to his comments about the staff.

The conferees finished, we finished our work on this conference last

evening considerably later than after the House had left for the day. We finally got the paperwork done by midnight and then the staff, after having completed the paperwork, and we are very meticulous in making sure that our bills are exactly the way we intend them to be; we seldom ever have to come in and ask for a correction because of good staff work. But they were finally able to start reading the bill, that is a term we use, read the bill, at about 12:40 a.m. this morning. And by 5:00 this morning they had completed reading the bill. And we went to the Committee on Rules and the gentleman from Kentucky (Mr. ROGERS) came in and filed the bill then, and we went to the Committee on Rules and got the rule which has already passed.

They have done a really good job, and I wanted to take another minute and explain why this has been such a difficult task for them and what a good product they have produced.

The House of Representatives passed this bill on June 26. That seems like it was almost last year. The Senate passed it on August 1, considerably later. But we did not get the paperwork and a request to go to conferences for 85 days after the Senate passed the bill. For 85 days this stayed out there, and it festered a little bit here and there. The issues were brought up that had to be settled. But this subcommittee worked through all of those issues. And so finally on October 29 we received the papers and we went to conference on the 31. And so today we have produced a bill that I think would enjoy tremendous support in the House. But I took this time to not only compliment the leadership of the subcommittee, but to say that as chairman of the full committee, it makes my job a lot easier, and the gentleman from Wisconsin (Mr. OBEY) and I, as the chairman and ranking member, it makes our jobs easier when we have a subcommittee that produces as good a product as this. It makes our job a lot easier so we appreciate that.

Let me take a few more seconds to say that next week we intend to have the District of Columbia appropriations conference ready for the House to consider and, additionally, we are planning to do the foreign operations appropriations subcommittee also for next week. There are several issues that are a little bit above our pay grid that still have to be resolved, but we think we can do that and have those two on the floor.

□ 0930

The only two appropriations bills remaining are the Labor, Health and Human Services and the Defense. The slowdown on the Defense, I will not take the time to explain that, but September 11 was part of the slowdown because we were in this building ready to mark up the Defense bill on September

11 when everybody was evacuated after the terrorist attacks.

The subcommittee has done a good job. And I compliment them as strongly as I can and the staff and hope that we will get a very nice vote for this good conference report today.

Mr. SABO. Mr. Speaker, I yield 2 minutes to the gentleman from Arizona (Mr. PASTOR), a distinguished member of our subcommittee.

Mr. PASTOR. Mr. Speaker, I thank the gentleman from Minnesota (Mr. SABO) for yielding me the time.

I rise in support of this conference bill and ask my colleagues to support it. I also rise to congratulate the gentleman from Kentucky (Mr. ROGERS) and the gentleman from Minnesota (Mr. SABO) for the excellent job they have done on this conference bill.

I represent the border communities of Arizona, and we tried to balance the safety issues as well as the commerce issues, and this compromise that has been achieved in this bill allows us to protect the safety of our American citizens, especially those that live on the border. At the same time, we allow the implementation of the NAFTA agreement and will allow that commerce to continue and probably increase.

I also want to thank both gentlemen for recognizing the needs of Arizona in terms of transportation infrastructure and public transportation needs. I have to tell you that they recognized and they funded important projects, and I want to thank them both for doing that.

In Phoenix, which is the United States fifth largest community, they are assisting us in continuing the development of a light transit system, as well as a public transportation system. They funded the infrastructure for our growing and enlarging airports and helped other community transportation systems.

Commerce is very important to Arizona, and one of the issues is the bridge over Hoover Dam, and that would allow the CANAMEX transportation corridor to be developed, and they recognize that, and they also fund it.

I also want to thank the staff for working on this bill and bringing forth to us an excellent bill, and I ask for its support.

Mr. SABO. Mr. Speaker, I yield 3 minutes to the gentlewoman from Michigan (Ms. KILPATRICK), another distinguished member of our subcommittee.

Ms. KILPATRICK. Mr. Speaker, I, too, was a member of the subcommittee and want to thank our chairman, the gentleman from Kentucky (Mr. ROGERS), for his excellent leadership, coming in as a new subcommittee chair for this bill, being fair, thorough. I also want to thank the gentleman from Minnesota (Mr. SABO), our ranking member, who has always been effective in his quiet intelligence

for allowing all of us to participate and to represent the constituents who send us here.

I represent Michigan, the border city of Detroit, one of the busiest border crossings in our country in northern America, and it is very important that we do what we need to do to secure those borders, and I want to thank both the gentleman from Kentucky (Mr. ROGERS) and the gentleman from Minnesota (Mr. SABO) for the work that they have put in this bill to begin that process.

Since September 11 I have had an opportunity to meet on two occasions with our Coast Guard, our INS, our Customs and our Border Patrol to talk about the needs that they must have over the next several months and years to actually secure those borders, and I know that I have the support of the gentleman from Florida (Mr. YOUNG), as well as our chairman of our subcommittee and our ranking member to see that that is done.

Quite a bit of commerce comes across that Canadian border, as well as other things, both negative and positive. This bill begins to address much of it, and I want to thank the leadership of this committee for allowing that.

We still have work to do on those borders. The Coast Guard, INS, Customs and Border Patrol are still short of people. The supplemental that is going through will help some of that, too. The world has changed since September 11, and this transportation bill begins to address that.

I thank the committee very much for all that it has done for the State of Michigan and for this country to address those needs in this bill, and, as we move forward in our next appropriation and beyond, consider those agencies who risks their lives every day to secure our borders and bring more attention to our northern borders here in our country.

I would urge all my colleagues to support this bill. It is wonderful, it is fair, it is good transportation policy.

I rise in support of the conference report, and I appreciate the efforts of our Chairman, the gentleman from Kentucky, Mr. ROGERS, and the gentleman from Minnesota, Mr. SABO for putting together a bill that we can pretty much all agree on.

This bill makes some significant funding advances for providing additional inspectors at airports and for improving airport security. I think this must be viewed as a first step toward ensuring the safety and security of our commercial transportation infrastructure, and I am very pleased with our efforts in this area.

Another area of concern to all of us is funding for a key agency in the protection of our homeland security, the Coast Guard. The Coast Guard personnel resources assigned to protecting our nation's ports were stretched before September 11th and are stretched even thinner now. This bill will give the resources necessary to bring some relief to the demands being made of our Coast Guard personnel.

I am also pleased that we have reached a compromise on the NAFTA trucking issue. The compromise reached will go along way to ensuring highway safety and still comply with the NAFTA accord this Congress supported almost a decade ago. Let me say to my colleagues that this year's bill focused much attention on the southern border. Next year, I look forward to working with my colleagues in strengthening the security of our transportation infrastructure along the northern border.

I urge my colleagues to support this bill. It is one that we can be proud of and I thank the Speaker for granting me this time.

Mr. SABO. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. BORSKI), one of the distinguished members of the authorizing committee and a good friend.

Mr. BORSKI. Mr. Speaker, let me first commend the gentleman from Kentucky (Mr. ROGERS) and the gentleman from Minnesota (Mr. SABO) for the exceptional job they did on this bill. I also want to commend Senators Murray and Shelby and particularly on the issue of Mexican trucks. This was an extremely contentious issue and one that has been worked out to my personal great satisfaction. It was a job well done.

Mr. Speaker, earlier this year the gentleman from Wisconsin (Mr. PETRI) and myself and the gentleman from California (Mr. FILNER) and the gentleman from Pennsylvania (Mr. HOLDEN) traveled to the Mexican border to see what was happening firsthand with the Mexican truck issue.

At Otay Mesa, California, we saw a system that I think worked very well. We saw a system where trucks were given inspection stickers that were good for 90 days. Any vehicle that tried to get through without that inspection was not allowed and was inspected. We then went to Texas where we saw a much lesser successful situation, if you will.

At Otay Mesa, the experience was similar to ours in the United States of America where about 24 percent of the trucks were taken out of service that were inspected, a rate both much too high here and there, at least consistent with our experience in the United States.

In Texas, we were met by Coy Clanton, who was the director of public safety in Texas, and he told us that a truck that is not inspected will be neglected, and what we saw in Texas were trucks that were not inspected and were neglected, where the cars or trucks were taken out of service, were somewhere in the neighborhood of 60 percent totally unacceptable.

This is a good agreement in the conference report. Every truck that wants to enter the United States of America must be inspected. If it does not have a valid inspection sticker it will be pulled off, have a complete level one inspection. If it does not pass, it will not get into this country. This is a

great victory for public safety, and, again, I commend all the conferees.

Mr. ROGERS of Kentucky. Mr. Speaker, I yield such time as he may consume to the gentleman from Virginia (Mr. WOLF), immediate past chairman of this subcommittee and now the chairman of the Subcommittee on Commerce, Justice, State and Judiciary, my old subcommittee. I have gained even more respect for this gentleman after having seen what he had to go through on this bill for the last 6 years.

Mr. WOLF. Mr. Speaker, I want to congratulate the gentleman from Kentucky (Mr. ROGERS) and the gentleman from Minnesota (Mr. SABO) and the staff for a really, really great job. This is a very difficult bill, a lot of contentious issues, that really tie a lot of people up. They really have done an amazing job. I have been watching and I just want to congratulate the gentleman for it.

On the issue of truck safety, speaking of the Mexican trucks, I appreciate that they literally by their actions here have saved a lot of lives. There will be a lot of people that will never get the telephone call saying that a loved one was killed because of a truck coming out of Mexico because of the actions that they have done. They will not know that they did not get that telephone call because of the gentleman from Kentucky (Mr. ROGERS) and the gentleman from Minnesota (Mr. SABO), but I want to kind of put it in the record that, because of their efforts, they will not get that call.

I think it is now incumbent upon the administration to take the good work that they have done and enforce it appropriately, and I know they will hold their feet to the fire.

Again, to the gentleman from Kentucky (Mr. ROGERS), congratulations and to the gentleman from Minnesota (Mr. SABO), congratulations. Also, they have an outstanding staff, having worked with them for a number of years. So I want to also congratulate the staff, and there really ought not be any negative votes against this bill. I cannot see why a Member of Congress would vote against the bill and hope everyone votes for it.

Mr. SABO. Mr. Speaker, I yield 3 minutes to the gentleman from Minnesota (Mr. OBERSTAR), my distinguished colleague.

Mr. OBERSTAR. Mr. Speaker, I thank the gentleman from Minnesota (Mr. SABO) for yielding me the time and compliment my colleague and dear friend for his leadership on all of the issues in this appropriation bill on transportation and to the gentleman from Kentucky (Mr. ROGERS) for whom I have worked with for many years on Appalachia and economic development matters and the chairman of the full committee, the gentleman from Florida (Mr. YOUNG), for the excellent prod-

uct that they have brought back to the House.

I do want to observe, though, that the manager's report contains a listing of over 100 airport projects that managers want to see funded out of FAA discretionary funds. In the past, there have been listings of projects for specific airports but without specific dollar amounts and with less prescriptive language than is included in this manager's report.

The law governing aviation discretionary funds requires the FAA to establish a priority system under which decisions are made about those projects that will receive these very limited dollars. Highest priority goes to projects that will bring airports into compliance with safety and with security standards, and next are projects that are subject to letters of intent. Others are for phased projects and for preservation of existing infrastructure.

Many of the projects listed here may be of fine quality in and of themselves to qualify for funding under FAA established standards. But the aviation system is not like highways. An improvement to a highway project in Boston does not necessarily or in any direct way benefit highway travel in California, but improvement to an airport in Boston makes a great difference to the entire U.S. aviation system.

I want to make it clear that the language in a conference report cannot override a priority system established under existing governing law. A decision of the Comptroller General found that Congress cannot require the Navy to select a particular aircraft the language in the committee report wanted the Navy to require.

When I chaired the Subcommittee on Aviation over numerous years there were innumerable requests for Members to include designation of their particular airport projects, and I steadfastly refused to do that in our authorization. We should not impose the will of the Congress in specific ways in the aviation system, and as ranking member of the full committee, I continued to resist such designation in the last two FAA authorization bills.

Again, I regret that this language has been included.

Mr. SABO. Mr. Speaker, I yield 2½ minutes to the gentleman from Massachusetts (Mr. OLVER), a distinguished member of our subcommittee.

Mr. OLVER. Mr. Speaker, I thank the gentleman from Minnesota (Mr. SABO) for yielding me the time.

I rise today in support of the bill and to congratulate our chairman, the gentleman from Kentucky (Mr. ROGERS), and our ranking member, the gentleman from Minnesota (Mr. SABO), for the leadership they have shown in addressing the Nation's critical transportation needs.

I particularly want to express thanks to the staff for this subcommittee

which has worked so very hard and put in so many long hours over the last couple of weeks but culminating in a fierce collection of hours over the last 48, and that would be the majority staff: Richard Efford, Stephanie Gupta and Cheryl Tucker and, also, of course, our clearly overworked and undoubtedly underpaid staff member on the minority side, Bey Pheto. They have put an enormous amount of effort into this, and I appreciate it very much, as I know all the members of the subcommittee do.

Despite our constrained allocation, the bill successfully makes critical investments in highway transit, aviation and the Coast Guard.

□ 0945

And I want to commend the chairman and the ranking member for the excellent provisions related to Mexican trucks. This will ensure the safety of our highways, or help to ensure the safety at least of our highways, as was so very important.

I am also pleased we were able to delete an anti-environmental rider on global warming that was included in the original House bill. There is now overwhelming, peer-reviewed, sound, scientific evidence that global warming is occurring and substantially due to human influence. The National Academy of Science has very recently reaffirmed that fact. But one does not have to look at anecdotal evidence, just look at the exceedingly unusual weather here in November.

I would like to thank the chairman and the ranking member for their work in removing this rider. It is a good bill, Mr. Speaker, and I urge all Members to support it.

Mr. Petri. Mr. Speaker, a major hallmark of the Transportation Equity Act for the 21st Century (TEA 21), which was passed by the Congress in 1998 by overwhelming margins, was that for the first time receipts into the Highway Trust Fund were guaranteed to be spent for transportation purposes. This is accomplished through the annual calculation of Revenue Aligned Budget Authority (RABA), which makes adjustments in obligations to com-

pensate for actual receipts into the Trust Fund versus the estimated authorization included in TEA 21 for the fiscal year.

While I am pleased that the Appropriations Committee has for the most part upheld the firewalls in this Conference Report, I find the redistribution of RABA funds to be outrageous. Under TEA 21, RABA funds are to be distributed proportionately to the states through formula apportionments and also to allocated programs. This Conference Report is a radical departure from that and is a cause for great concern. It is something I cannot support.

The Conference Report was available for only a couple hours before the House voted on it. However, a quick review indicates that nearly \$1 billion of the \$4.5 billion of 2002 RABA funds has been redistributed contrary to TEA 21. Specific TEA 21 programs, which normally are discretionary programs, have been increased well beyond what their proportionate share of RABA funds would have been if TEA 21 had been followed in this conference report. Of course, all these funds have been earmarked by the appropriators.

According to the Federal Highway Administration, to pay for these earmarks, about \$500 million will be lost for allocated programs and \$500 million will be lost from state apportionments. That means states lose more than 11 percent of RABA funds from the regular formula program.

Every Member who worked to get a high priority project in TEA 21 should take note. Under TEA 21, high priority projects under section 1602 should be included in RABA distributions. But, the appropriators have chosen to zero out RABA funding for TEA 21 high priority projects. This means that every Member with a TEA 21 project will experience a 13% cut in funds. If RABA funds had been distributed according to TEA 21, Members' high priority projects would have been increased by \$236.7 million in FY 2002. Instead, they will receive no RABA funds.

A look at what the committee has done to particular programs illustrates dramatically what has happened. The Transportation and Community and System Preservation Pilot Program, which is authorized at \$25 million for FY 2002 in TEA 21, should have received \$3.3 million in RABA Funds. But, incredibly, the appropriators have given it an amazing \$250.8 million in RABA funds. Could it be because this program does not require a State

or local match and can be used for practically anything? A perfect pot of money to earmark. Again, a \$25 million program has been increased to \$275.8 million for FY2002.

Under TEA 21, the Borders and Corridors program is authorized at \$140 million for the fiscal year. It should have received \$18.6 million in RABA funds, but instead it will receive more than \$352 million in RABA funds.

Under TEA 21, the Interstate Maintenance Discretionary program is authorized at \$100 million for FY2002 and should have received \$13.3 million in RABA. But under the conference report, the program will receive \$76 million in RABA funds. The Bridge Discretionary program, authorized at \$100 million per year, should receive \$13.3 million in RABA funds. But, it will receive more than \$62 million in RABA funds. Of course, at this point the term "discretionary program" is a complete misnomer as the Secretary has absolutely no discretion since all the funds (both the base amount and RABA) are earmarked.

Again, all of these funds, which should be distributed to the states and allocated programs, have been earmarked for winners and losers.

I have included two charts prepared by the Federal Highway Administration at the U.S. Department of Transportation which illustrate the impact of this misuse of RABA funds. One chart indicates the amount of RABA funds each allocated program would have received in FY 2002 under TEA 21 and what they will actually receive under this conference report. The other indicates what the impact will be on individual states and the amount of formula funds lost.

Mr. Speaker, this is just wrong. RABA was not created to be a slush fund for the appropriators. For the committee to take nearly \$1 billion of these funds to earmark for projects they deem desirable—on top of the fact that they had already earmarked all pre-RABA discretionary funds—should not happen. This should not be a precedent for future years. And we will continue to review the Conference Report for other offensive provisions.

With conference reports, our options admittedly are limited. However, I cannot stand by and let these egregious acts go by without at least commenting and acknowledging just what has gone on in this report.

U.S. DEPARTMENT OF TRANSPORTATION, FEDERAL HIGHWAY ADMINISTRATION—RABA DISTRIBUTION

	Federal-aid Highway Programs	TEA-21	Conference	Difference
Apportioned Programs		3,968,764,800	3,519,429,770	(449,335,030)
Allocated Programs:				
Federal Lands Highways Program:				
Indian Reservation Roads	36,050,486	35,565,651		(484,835)
Public Lands Highways	32,249,049	31,815,091		(433,958)
Park Roads and Parkways	21,631,440	21,339,391		(292,049)
Refuge Roads	2,624,255	2,586,593		(37,662)
National Corridor Planning & Devel. & Coord. Border Infrastructure Pgm	18,633,932	352,556,000		333,922,068
Construction of Ferry Boats and Ferry Terminal Facilities	5,059,012	25,579,000		20,519,988
National Scenic Byways Program	3,393,730	0		(3,393,730)
Value Pricing Pilot Program	1,464,300	0		(1,464,300)
High Priority Projects Program	236,671,037	0		(236,671,037)
Highway Use Tax Evasion Projects	666,113	0		(666,113)
Commonwealth of Puerto Rico Highway Program	14,642,998	0		(14,642,998)
Woodrow Wilson Memorial Bridge	29,946,366	29,542,304		(404,062)
Miscellaneous Studies, Reports, & Projects	2,503,665	0		(2,503,665)
Magnetic Levitation Transp. Tech. Deployment Program	0	0		(0)
Transportation and Community and System Preservation Pilot Program	3,324,822	250,792,600		247,467,778
Safety Incentive Grants for Use of Seat Belts	14,907,146	0		(14,907,146)
Transportation Infrastructure Finance and Innovation	15,969,481	0		(15,969,481)
Surface Transportation Research	13,442,846	0		(13,442,846)
Technology Deployment Program	5,989,273	0		(5,989,273)
Training and Education	2,526,635	0		(2,526,635)
Bureau of Transportation Statistics	4,128,751	0		(4,128,751)

U.S. DEPARTMENT OF TRANSPORTATION, FEDERAL HIGHWAY ADMINISTRATION—RABA DISTRIBUTION—Continued

Federal-aid Highway Programs	TEA-21	Conference	Difference
ITS Standards, Research, Operational Tests, and Development	13,976,885	0	(13,976,885)
ITS Deployment	15,969,481	0	(15,969,481)
University Transportation Research	3,525,804	0	(3,525,804)
Emergency Relief Program	13,310,772	0	(13,310,772)
Interstate Maintenance Discretionary	13,310,772	76,025,000	62,714,228
Territorial Highways	4,846,545	0	(4,846,545)
Alaska Highway	2,503,665	0	(2,503,665)
Operation Lifesaver	68,908	0	(68,908)
High Speed Rail	700,567	0	(700,567)
DBE & Supportive Services	2,664,451	0	(2,664,451)
Bridge Discretionary	13,310,772	62,450,000	49,139,228
Study of CMAQ Program Effectiveness	0	0	0
Long-term Pavement	0	10,000,000	10,000,000
New Freedom Initiative	0	0	0
State Border Infrastructure	0	56,300,000	56,300,000
Motor Carrier Safety Grants	24,221,241	23,896,000	(325,241)
Public Lands Discretionary	0	45,122,600	45,122,600
Subtotal, Allocated Programs	574,235,200	1,023,570,230	449,335,030
Total	4,543,000,000	4,543,000,000	0

U.S. DEPARTMENT OF TRANSPORTATION, FEDERAL HIGHWAY ADMINISTRATION—DISTRIBUTION OF REVENUE ALIGNED BUDGET AUTHORITY

States	TEA-21	Conference	Difference
Alabama	78,660,918	69,755,098	(8,905,820)
Alaska	47,506,115	42,127,574	(5,378,541)
Arizona	71,794,955	63,666,485	(8,128,470)
Arkansas	50,998,628	45,224,673	(5,773,955)
California	357,228,521	316,748,679	(40,479,842)
Colorado	51,633,630	45,787,781	(5,845,849)
Connecticut	59,372,721	52,650,669	(6,722,052)
Delaware	18,097,567	16,048,900	(2,048,667)
Dist. of Col.	15,517,870	13,760,970	(1,756,900)
Florida	187,841,638	166,574,611	(21,267,027)
Georgia	141,803,966	125,749,226	(16,054,740)
Hawaii	20,042,262	17,773,120	(2,269,142)
Idaho	28,813,232	25,551,060	(3,262,172)
Illinois	129,699,234	115,014,965	(14,684,269)
Indiana	91,837,217	81,439,605	(10,397,612)
Iowa	46,752,049	41,458,883	(5,293,166)
Kansas	45,442,357	40,297,471	(5,144,886)
Kentucky	68,342,130	60,604,581	(7,737,549)
Louisiana	61,436,479	54,480,773	(6,955,706)
Maine	20,796,328	18,441,812	(2,354,516)
Maryland	64,532,116	57,225,928	(7,306,188)
Massachusetts	71,715,580	63,596,096	(8,119,484)
Michigan	126,563,909	112,234,615	(14,329,294)
Minnesota	57,110,525	50,644,594	(6,465,931)
Mississippi	50,720,814	44,978,312	(5,742,502)
Missouri	90,924,402	80,630,136	(10,294,266)
Montana	40,640,152	36,038,961	(4,601,191)
Nebraska	31,472,305	27,944,272	(3,528,033)
Nevada	28,932,295	25,656,643	(3,275,652)
New Hampshire	19,605,698	17,385,983	(2,219,715)
New Jersey	100,687,563	89,287,933	(11,399,630)
New Mexico	38,735,144	34,349,635	(4,385,509)
New York	197,128,548	174,810,077	(22,318,471)
North Carolina	111,046,039	98,473,642	(12,572,394)
North Dakota	26,630,412	23,615,374	(3,015,038)
Ohio	136,327,071	120,892,413	(15,434,658)
Oklahoma	60,722,101	53,847,275	(6,874,826)
Oregon	46,434,548	41,177,328	(5,257,220)
Pennsylvania	186,849,447	165,694,754	(21,154,693)
Rhode Island	24,050,711	21,327,744	(2,722,971)
South Carolina	67,429,314	59,795,112	(7,634,202)
South Dakota	27,979,792	24,811,980	(3,167,812)
Tennessee	89,614,709	79,468,724	(10,145,985)
Texas	310,674,910	275,500,962	(35,173,948)
Utah	30,202,300	26,782,861	(3,419,439)
Vermont	18,375,381	16,294,960	(2,080,421)
Virginia	103,703,824	91,962,700	(11,741,124)
Washington	68,461,193	60,710,164	(7,751,029)
West Virginia	41,711,718	36,989,207	(4,722,511)
Wisconsin	77,986,228	69,156,795	(8,829,433)
Wyoming	28,178,230	24,987,951	(3,190,279)
Subtotal	3,968,764,800	3,519,429,770	(449,335,030)
Allocated Programs	574,235,200	1,023,570,230	449,335,030
Total	4,543,000,000	4,543,000,000	0

¹ Represent — 11.38 percent.

Mr. OBERSTAR. Mr. Speaker, I greatly appreciate the work of the Appropriations Committee in ensuring the safety of our highways, particularly the Conference Report's provisions to ensure that we have adequate safety standards with regard to Mexican carriers operating in the United States beyond the border commercial zones.

The requirements are quite simple—we require that Mexican carriers operating in the United States, including both their drivers and trucks, meet U.S. safety standards before they

are given authority to operate throughout the country.

All carriers and vehicles are inspected and, until a carrier has been operating in the U.S. for three consecutive years, we require the California system of mandated CVSA inspections every 90 days. We ensure that the Mexican carrier has proof of insurance. We confirm that the drivers have valid Commercial Driver's Licenses.

We ensure that Federal and State inspectors are actually in place at the border crossings to inspect trucks. We ensure that the border facilities have the capacity to actually inspect trucks and have scales to actually weigh vehicles and enforce U.S. truck size and weight laws.

We require the Department of Transportation Inspector General to do a comprehensive review of each of these requirements and that the Secretary of Transportation certify, in a manner addressing the IG's findings, that the opening of the border does not pose an unacceptable safety risk to the American public.

Although all of this would seem common sense, it has been extremely difficult to achieve. The Administration proposed asking the Mexican carriers to fill out a paper application, letting the trucks in, and possibly inspecting them later. Congress, with the leadership of members of both the Transportation and Infrastructure Committee and the Appropriations Committees, particularly Ranking Member SABO and Chairman ROGERS, and Senators MURRAY and SHELBY, have stood firm in the face of constant assaults from the highest levels in this Administration that these common sense requirements were "anti-Hispanic" and "discriminatory".

Today, the Administration embraces and welcomes the Conference Report with its very strong provisions requiring substantially improved safety for Mexican trucks operating in the United States. In what I would modestly call an abrupt reversal of the Administration's ad hominem attacks of our colleagues, the Administration has abandoned its unfounded and misguided position on this important truck safety issue. The Conference Report adopts the necessary public policy to ensure that safety is the highest priority for Mexican trucks operating on American roadways.

Given that highway fatalities are the leading cause of death for persons in the United States of every age from 6 to 33 years old, the American people thank the Gentleman

from Minnesota, Mr. SABO, the Gentleman from Kentucky, Mr. ROGERS, and other House and Senate colleagues who stood firm in conference to save more of the Nation's children from unneeded deaths on our highways.

Mr. KOLBE. Mr. Speaker, I rise in support of this conference report and would like to congratulate the Chairman on resolving some difficult issues. One issue in particular is extremely important to me and the nation—the matter of allowing Mexican trucks into the United States as required by law.

Again, this year, there was an attempt to prohibit Mexican trucks from operating beyond the border commercial zone. I have said all along that this is really an issue about certain protectionist interests trying to block Mexican trucks from the United States highways under the guise of truck safety.

We all want to ensure that trucks traveling within the United States are safe. I believe, however, the most important aspect of truck safety is the observation of the driver and the inspection of the truck at the border and along the highway. This can be done while ensuring the security of our border and without establishing unattainable requirements with the sole purpose of denying the entry of Mexican trucks.

Mexican trucks that can operate in the United States, in compliance with U.S. laws and safety regulations, should be allowed in—just like Canadian trucks. We must treat our neighbors to the south, Mexico, the same as we treat our neighbors to the north, Canada.

Whether you agree with NAFTA or not, it is the law of the land and it is an international agreement that we must uphold. For too long the protectionist interests have thwarted efforts to implement the law of the land and to comply with our international agreements. How can we be a global leader by reneging on our agreements? We can't and we won't.

The intent of the opponents of Mexican trucks entering the U.S. has been very clear all along. Let's face it, there are interest groups in the United States that do not want those trucks here. They are joined by interest groups in Mexico.

It is time to build bridges to Mexico—bridges that allow trucks from the U.S. and Mexico to pass each other, not barriers that block the movement of ideas and goods.

Although I do not think that this final compromise is perfect, I am a realist and am pleased that this conference report will allow Mexican trucks to enter all areas in the United

States. We have made a step forward today toward treating our Mexican friends with the respect they deserve.

Mr. SABO. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. ROGERS of Kentucky. Mr. Speaker, I have no further requests for time, I yield back the balance of my time, and I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER pro tempore (Mr. THORNBERRY). The question is on the conference report.

Pursuant to clause 10 of rule XX, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 371, nays 11, not voting 51, as follows:

[Roll No. 465]

YEAS—371

Abercrombie	Crane	Hayes
Ackerman	Crenshaw	Hayworth
Aderholt	Crowley	Herger
Akin	Culberson	Hill
Allen	Cunningham	Hilleary
Andrews	Davis (CA)	Hilliard
Armey	Davis (FL)	Hinchey
Baca	Davis (IL)	Hinojosa
Baird	Davis, Jo Ann	Hobson
Baker	Davis, Tom	Hoefel
Baldacci	Deal	Hoekstra
Baldwin	DeGette	Holt
Ballenger	Delahunt	Honda
Barr	DeLauro	Hooley
Barrett	DeLay	Horn
Bartlett	DeMint	Hostettler
Barton	Deutsch	Houghton
Bass	Dingell	Hoyer
Bentsen	Doggett	Hulshof
Bereuter	Doolittle	Hunter
Berkley	Doyle	Hyde
Berry	Duncan	Inslee
Biggert	Dunn	Isakson
Bilirakis	Edwards	Israel
Bishop	Ehlers	Issa
Blagojevich	Ehrlich	Istook
Blunt	Emerson	Jackson (IL)
Boehlert	Engel	Jackson-Lee
Boehner	English	(TX)
Bonilla	Eshoo	Jefferson
Bono	Etheridge	Jenkins
Boozman	Evans	John
Borski	Everett	Johnson (CT)
Boswell	Farr	Johnson (IL)
Brady (PA)	Ferguson	Johnson, E. B.
Brady (TX)	Fletcher	Johnson, Sam
Brown (FL)	Foley	Jones (OH)
Brown (OH)	Forbes	Kanjorski
Brown (SC)	Fossella	Kaptur
Bryant	Frank	Keller
Burr	Frelinghuysen	Kelly
Burton	Gekas	Kennedy (MN)
Buyer	Gibbons	Kennedy (RI)
Callahan	Gilchrest	Kerns
Camp	Gillmor	Kildee
Cannon	Gilman	Kilpatrick
Cantor	Gonzalez	Kind (WI)
Capito	Goode	King (NY)
Capps	Goodlatte	Kingston
Capuano	Gordon	Kirk
Cardin	Goss	Kleczka
Carson (OK)	Graham	Knollenberg
Castle	Granger	Kolbe
Chabot	Graves	Kucinich
Chambliss	Green (TX)	Lampson
Clay	Green (WI)	Langevin
Clayton	Greenwood	Lantos
Clement	Grucci	Larsen (WA)
Clyburn	Gutierrez	Larson (CT)
Coble	Gutknecht	Latham
Collins	Hall (OH)	Leach
Combest	Hall (TX)	Lee
Condit	Hansen	Levin
Costello	Harman	Lewis (CA)
Cox	Hart	Lewis (GA)
Coyne	Hastings (FL)	Lewis (KY)
Cramer	Hastings (WA)	Linder

LoBiondo	Pelosi	Smith (NJ)
Lofgren	Pence	Smith (WA)
Lucas (KY)	Peterson (MN)	Snyder
Lucas (OK)	Peterson (PA)	Solis
Luther	Phelps	Souder
Lynch	Pickering	Spratt
Maloney (CT)	Pitts	Stark
Maloney (NY)	Platts	Stearns
Manzullo	Pombo	Stenholm
Markey	Pomeroy	Strickland
Mascara	Price (NC)	Stump
Matheson	Pryce (OH)	Stupak
Matsui	Putnam	Sweeney
McCarthy (MO)	Radanovich	Tanner
McCarthy (NY)	Rahall	Tauscher
McCollum	Ramstad	Tauzin
McCrery	Regula	Taylor (MS)
McGovern	Rehberg	Terry
McHugh	Reyes	Thomas
McIntyre	Reynolds	Thompson (CA)
McKeon	Riley	Thompson (MS)
McKinney	Rivers	Thorneberry
McNulty	Rodriguez	Thune
Meek (FL)	Roemer	Thurman
Meeks (NY)	Rogers (KY)	Tiahrt
Menendez	Rogers (MI)	Tiberi
Mica	Rohrabacher	Tierney
Millender-	Ross	Toomey
McDonald	Roukema	Towns
Miller, Dan	Roybal-Allard	Traficant
Miller, George	Rush	Turner
Miller, Jeff	Ryan (WI)	Udall (CO)
Mink	Ryun (KS)	Udall (NM)
Mollohan	Sabo	Upton
Moore	Sanders	Velázquez
Moran (KS)	Sandlin	Visclosky
Moran (VA)	Sawyer	Walden
Morella	Saxton	Walsh
Murtha	Schakowsky	Wamp
Nadler	Schiff	Watkins (OK)
Napolitano	Schrock	Watson (CA)
Nethercutt	Scott	Watt (NC)
Ney	Serrano	Watts (OK)
Northup	Sessions	Weiner
Norwood	Shadegg	Weldon (FL)
Nussle	Shaw	Weldon (PA)
Oberstar	Shays	Weller
Obey	Sherman	Wexler
Olver	Sherwood	Whitfield
Ortiz	Shimkus	Wicker
Osborne	Shows	Wolf
Ose	Shuster	Woolsey
Otter	Simmons	Wu
Oxley	Simpson	Wynn
Pallone	Skeen	Young (AK)
Pascarella	Skelton	Young (FL)
Pastor	Slaughter	
Payne	Smith (MI)	

NAYS—11

Barcia	McInnis	Schaffer
Filner	Paul	Sensenbrenner
Flake	Petri	Tancred
Hefley	Royce	

NOT VOTING—51

Bachus	Dreier	Miller, Gary
Becerra	Fattah	Myrick
Berman	Ford	Neal
Blumenauer	Frost	Owens
Bonior	Gallegly	Portman
Boucher	Ganske	Quinn
Boyd	Gephardt	Rangel
Calvert	Holden	Ros-Lehtinen
Carson (IN)	Jones (NC)	Rothman
Conyers	LaFalce	Sanchez
Cooksey	LaHood	Smith (TX)
Cubin	Largent	Sununu
Cummings	LaTourette	Taylor (NC)
DeFazio	Lipinski	Vitter
Diaz-Balart	Lowey	Waters
Dicks	McDermott	Waxman
Dooley	Meehan	Wilson

□ 1016

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. McDERMOTT. Mr. Speaker, on rollcall No. 460, had I been present, I would have voted "yea."

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title:

H.R. 2291. An act to extend the authorization of the Drug-Free Communities Support Program for an additional 5 years, to authorize a National Community Anti-drug Coalition Institute, and for other purposes.

The message also announced that the Senate has passed a joint resolution of the following title in which the concurrence of the House is requested:

S.J. Res. 26. Joint resolution providing for the appointment of Patricia Q. Stonesifer as a citizen regent of the Board of Regents of the Smithsonian Institution.

LEGISLATIVE PROGRAM

(Ms. PELOSI asked and was given permission to address the House for 1 minute.)

Ms. PELOSI. Mr. Speaker, I yield to the gentleman from Texas to inquire about next week's schedule.

Mr. ARMEY. I thank the gentlewoman for yielding.

If I might observe, Mr. Speaker, what a pleasant surprise and congratulations to the gentlewoman from California.

Ms. PELOSI. I thank the distinguished gentleman.

Mr. ARMEY. Mr. Speaker, I am pleased to announce that the House has completed its legislative business for the week.

The House will next meet for legislative business on Tuesday, December 4, at 12:30 p.m. for morning hour and at 2 p.m. for legislative business. The House will consider a number of measures under suspension of the rules, a list of which will be distributed to Members' offices later today. On Tuesday, no recorded votes are expected before 7 p.m. due to the National Day of Reconciliation ceremony that will be held between 5 and 7 p.m. in the Rotunda. Mr. Speaker, if I may repeat that: on Tuesday, there will be no recorded votes before 7 p.m.

On Wednesday, Mr. Speaker, I expect to be able to schedule appropriations conference reports that are available. Chairman YOUNG reports that the District of Columbia and Foreign Operations conference reports will hopefully be ready to be considered by Wednesday.

As previously announced, on Thursday, December 6, I have scheduled H.R. 3005, the Bipartisan Trade Promotion Authority Act of 2001.

Throughout the balance of the week, the House will consider any additional conference reports as they become available.